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Attorneys for Individual and Representative Plaintiffs Clarke and Rebecca Wixon and Norman and Barbara Wixon

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Clarke and Rebecca Wixon and Norman and Barbara Wixon, derivatively and on behalf of themselves and all others similarly situated,

Plaintiffs,

V.

Wyndham Resort Development Corp. (f/k/a Trendwest Resorts, Inc.), Gene Hensley, David Herrick, John Henley, Peggy Fry, John McConnell, and nominally, WorldMark, The Club,

Defendants.

No. C 07-02361 JSW

CLASS ACTION

**STIPULATION AND [PROPOSED] ORDER
RE: FILING VERIFICATIONS OF
THIRD AMENDED COMPLAINT**

Judge: Hon. Jeffrey S. White

1 WHEREAS the Court, in its July 23, 2008 Order, granted Plaintiffs leave to file a Third
2 Amended Complaint;

3 WHEREAS Plaintiffs are prepared to file their Third Amended Complaint on August 29, 2008,
4 in accordance with the deadline set forth in the parties' stipulation and the Court's August 11, 2008
5 Order;

6 WHEREAS Plaintiffs, due to the timing of filing, i.e., the Friday before the Labor Day holiday
7 weekend, are unavailable to provide the required verifications of the Third Amended Complaint;

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1 IT IS HEREBY STIPULATED by and between Plaintiffs and Defendants by and through their
2 respective counsel, that Plaintiffs' Third Amended Complaint will be filed and served on Defendants on
3 or before August 29, 2008, and Plaintiffs' verifications of the Third Amended Complaint will be
4 separately filed and served on Defendants on or before September 8, 2008.

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6 Dated: August 28, 2008

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8 GIRARD GIBBS LLP

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10 KIRKPATRICK & LOCKHART
11 PRESTON GATES ELLIS LLP

12 By: /s/ Jonathan K. Levine

13 Jonathan K. Levine
14 Elizabeth C. Pritzker

15 Attorneys for Individual and Representative
16 Plaintiffs Clarke and Rebecca Wixon and
17 Norman and Barbara Wixon

18 By: /s/ Matthew G. Ball

19 Matthew G. Ball

20 Attorneys for Defendants Gene Hensley,
21 John Henley, David Herrick, Peggy Fry,
22 and John McConnell

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28 ORDER

IT IS SO ORDERED.

DATED: August 28, 2008


The Honorable Jeffrey S. White

UNITED STATES DISTRICT JUDGE